

REMARKS

Claims 14, 16, 17, 19, and 20-35 are pending in this application including independent claims 14, 21, and 30. Claims 14, 17, 20-25, and 27-35 have been amended. Support for the amendments to the claims can be found in the specification and drawings as originally filed. No new matter has been added. Favorable reconsideration and allowance of the pending claims are requested.

Restriction Requirement

Applicants have carefully reviewed and considered the Restriction Requirement included in the Office Action. Applicants respectfully traverse and request reconsideration and withdrawal of the Restriction Requirement in view of the foregoing amendments to the claims.

Applicants respectfully submit that claims 21-35 are entitled to consideration on their merits.

Claim Objections

Applicants respectfully traverse and request reconsideration and withdrawal of the objection to claim 14 in view of the foregoing amendments to the claims.

Claim Rejections – 35 U.S.C. § 112

Applicants respectfully traverse and request reconsideration and withdrawal of the § 112, second paragraph, rejection of claims 14, 16, 17, 19, and 20 in view of the foregoing amendments to the claims.

Claim Rejections – 35 U.S.C. § 103

Claims 14, 17, 19, and 20

Claims 14, 17, 19, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Number (USPN) 6,219,653 to O'Neill et al. ("O'Neill") in view of United States Published Patent Application (USPPA) 2003/0236736 to Harmon et al. ("Harmon"), USPPA 2002/0082956 to Peterson et al. ("Peterson") and USPN 7,240,026 to Satchell et al. ("Satchell"). Applicants respectfully traverse this rejection.

While Applicants disagree with the grounds of rejection set forth in the Office Action, independent claim 14 has been further amended to advance prosecution. In contrast to the teachings of O'Neill, Harmon, Peterson, and/or Satchell, amended independent claim 14 recites, among its other elements, maintaining a rules set at said central exchange computer system for an originating broker affiliate to identify goods and/or services available from the originating broker affiliate for sale to customers which are to be sold directly by the originating broker affiliate to customers and which are to be posted on a website of the originating broker affiliate and to identify goods and/or services available from the originating broker affiliate for sale to customers by other broker affiliates which are to be posted on respective websites of the other broker affiliates and made available for sale to customers by the other broker affiliates.

Amended independent claim 14 also recites the rules set specifying transaction conditions with respect to goods and/or services available from the originating broker affiliate for sale to customers by other broker affiliates for transactions conducted via said distributed network and specifying posting conditions for posting goods and/or services identified by the originating broker affiliate as available for sale to customers by the other broker affiliates on the respective websites of the other broker affiliates.

When addressing independent claim 14, the Office Action relies on portions of Peterson related to an inventory sharing arrangement. As explicitly described in Peterson, the inventory sharing arrangement allows vendors in need of one or more of an item to quickly determine, using an information network, which other vendors have the item in stock.

Applicants submit that Peterson clearly does not disclose or contemplate a rules set according to the method of amended independent claim 14. Namely, there is clearly no teaching or suggestion in Peterson of a rules set for an originating broker affiliate to identify goods and/or services available from the originating broker affiliate for sale to customers by other broker affiliates which are to be posted on respective websites of the other broker affiliates and made available for sale to customers by the other broker affiliates, the rules set specifying posting conditions for posting goods and/or services identified by the originating broker affiliate as available for sale to customers by the other broker affiliates on the respective websites of the other broker affiliates.

Applicants further submit that O'Neill, Harmon, and/or Satchell also do not disclose such features of amended independent claim 14. Consequently, even if O'Neill, Harmon, Peterson, and Satchell could be combined, which Applicants do not admit, such combination still would not teach or suggest all of the features of amended independent claim 14. Further, there is no teaching, suggestion, or motivation to modify O'Neill, Harmon, Peterson, and/or Satchell to include all of the recited features of amended independent claim 14. Applicants also submit that modification of O'Neill, Harmon, Peterson, or Satchell to include the features of amended independent claim 14 would be contrary to the explicit teachings and principles of operation of such references. Therefore, O'Neill, Harmon, Peterson, and Satchell, whether taken alone or in combination with each other, are insufficient to establish obviousness under § 103(a) with respect to amended independent claim 14.

For at least the foregoing reasons, Applicants submit that amended independent claim 14 is allowable and that dependent claims 17, 19, and 20 are also allowable by virtue of their dependency from an allowable claim, as well as on their own merits.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of claims 14, 17, 19, and 20.

Claim 16

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Neill in view of Harmon, Peterson, and Satchell and further in view of USPPA 2002/0174028 to Anderson et al. ("Anderson"). Applicants respectfully traverse this rejection.

Applicants submit that Anderson also does not disclose the features of amended independent claim 14 and does not remedy the deficiencies of O'Neill, Harmon, Peterson, and Satchell with respect to the features recited by amended independent claim 14, as discussed above. Consequently, even if O'Neill, Harmon, Peterson, Satchell, and Anderson could be combined, which Applicants do not admit, such combination still would not teach or suggest all of the features of amended independent claim 14. Further, there is no teaching, suggestion, or motivation to modify O'Neill, Harmon, Satchell, Peterson, and/or Anderson to include all of the recited features of amended independent claim 14. Applicants also submit that modification of O'Neill, Harmon, Satchell, Peterson, or Anderson to include the features of amended independent claim 14 would be contrary to the explicit teachings and principles of operation of such references. Therefore, O'Neill, Harmon, Satchell, Peterson, and Anderson, whether taken alone or in combination with each other, are insufficient to establish obviousness under § 103(a) with respect to amended independent claim 14.

For at least the foregoing reasons, Applicants submit that amended independent claim 14 is allowable and that dependent claim 16 is also allowable by virtue of its dependency from an allowable claim, as well as on its own merits.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of claim 16.

Claims 21-35

Applicants submit claims 21-35 recite features which are neither taught nor suggested by the references of record, including O'Neill, Harmon, Peterson, Satchell, and/or Anderson, regardless of whether such references are taken alone or in combination with each other.

Accordingly, Applicants submit that claims 21-35 are in condition for allowance.

Conclusion

It is believed that claims 14, 16, 17, 19, and 20-35 are in condition for allowance. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

Applicants do not otherwise concede, however, the correctness of the Office Action with respect to any of the limitations of the independent claims and dependent claims discussed above. Accordingly, Applicants hereby reserve the right to make additional arguments as may be necessary to further distinguish the claims from the cited references, taken alone or in combination, based on additional features contained in the independent or dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

The Examiner is invited to contact the undersigned (724) 941-4804 to discuss any matter concerning this application.

Respectfully submitted,

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Under 37 CFR 1.34(a)

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